United Nations S/2016/376

Security Council

Distr.: General
25 April 2016

Original: English

Letter dated 20 April 2016 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 1966 (2010), adopted on 22 December 2010, establishing the International Residual Mechanism for Criminal Tribunals and, in particular, to article 10, paragraph 2, of the statute of the Mechanism, annexed thereto, on the appointment of a judge to fill a vacancy in the roster of judges of the Mechanism.

Article 8, paragraph 1, of the Statute provides that the Mechanism shall have a roster of 25 independent judges.

In accordance with article 10 of the Statute, the General Assembly elected 25 judges of the Mechanism for a term of four years, effective 1 July 2012. One of the judges thus elected, Judge Patrick Robinson of Jamaica, resigned with effect from 17 November 2015, following his election as a Judge of the International Court of Justice.

Pursuant to article 10, paragraph 2, of the Statute, in the event of a vacancy in the roster, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of article 9, paragraph 1, of the Statute, for the remainder of the term of office concerned.

According to article 9, paragraph 1, of the Statute, the judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. Particular account shall be taken of experience as judges of the International Tribunal for the Former Yugoslavia or the International Criminal Tribunal for Rwanda.

The procedure for identifying a candidate for consideration for appointment under article 10, paragraph 2, is not prescribed in the statute. In accordance with the established practice regarding the appointment of a judge to fill a vacancy at the International Tribunal for the Former Yugoslavia and at the International Criminal Tribunal for Rwanda, Jamaica, as the State of nationality of the outgoing judge, has nominated a candidate, Justice Seymour Panton, to replace Judge Robinson for the remainder of his term of office.

It is my view that Justice Panton meets the qualifications that are prescribed in article 9, paragraph 1, of the Statute of the Mechanism.

Please recycle

In accordance with article 10, paragraph 2, of the Statute, I look forward to receiving your views on the appointment of Justice Seymour Panton as a judge of the Mechanism.

(*Signed*) **BAN** Ki-moon